

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q65348

Satoshi TAMAI

Appln. No.: 09/900,892

Group Art Unit: 2163

Confirmation No.: 9564

Examiner: Unknown

Filed: July 10, 2001

For: METHOD FOR INDIVIDUALLY RENTING PRIVATE CAR, SYSTEM TO INDIVIDUALLY RENT PRIVATE CAR AND STORAGE MEDIUM STORING PROGRAMS TO CONTROL SAME

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

DEC 13 2002

**GROUP 3600**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

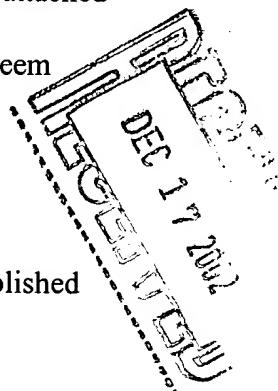
One copy of each of the listed documents is submitted herewith.

1. Japanese Unexamined Patent Application Publication No. 2001-297272, published

October 26, 2001.

2. Japanese Unexamined Patent Application Publication No. 10-49575, published

February 20, 1998.



Satoshi TAMAI  
09/900,892  
INFORMATION DISCLOSURE STATEMENT

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Japanese Office Action dated July 23, 2002 and an English translation of the pertinent portions thereof, which cites and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: December 10, 2002

Substitute for Form 1449 A & B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	09/900,892
				Confirmation Number	9564
				Filing Date	July 10, 2001
				First Named Inventor	Satoshi TAMAI
				Art Unit	2163
				Examiner Name	Unknown
				Attorney Docket Number	Q65348
Sheet	1	of	1		

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

#### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.

Ref Q65348

- Prior Application 1 in relation to Claim 1
- Remarks

Described in the specifications and diagrams of Prior Application 1 is an information processing device and use method thereof for the purpose of the effective use of idle assets.

The prospective lender accesses the website screen of an information processing device and registers information in a loan information database by entering such information as the goods for loan, the name of the goods (for example, an automobile), the permissible loan period, and the storage location.

The prospective borrower uses a loan information search means to access the information and search for the desired loan goods in the loan information database.

The application for a loan contract by the prospective borrower is created by filling out a prospective loan contract application, and the prospective lender is notified of that intent. If the prospective lender accepts, a loan contract is prepared and the loan information database is updated.

While there is a tentative difference between the invention related to Claim 1 of the present application and the invention described in the specifications and diagrams of Prior Application 1 on the point that the invention of the prior application states "loan permissible period" in contrast to the "non-use period in which the personal automobile is not used" in the invention of the present application, this difference is nothing more than a specified minor detail for the purpose of resolving an issue, and there is no substantial difference.

- Prior Application 1 in relation to Claim 2
- Remarks

While there is a tentative difference between the invention related to Claim 2 of the present application and the invention described in the specifications and diagrams of Prior Application 1 on the point that "loan permissible period" is stated in the invention of the prior application in contrast to the "trip scheduled period in which the private automobile is not used" in the invention of the present application, this difference is nothing more than a specified minor detail for the purpose of resolving an issue, and there is no substantial difference.

- Prior Application 1 in relation to Claim 3
- Remarks

While there is the tentative difference between the invention related to Claim 3 of the present application and the invention described in the specifications and diagrams of Prior Application 1 on the point that there is the configuration of a web server in the invention of the Prior Application 1 in contrast to the configuration of the internet provided with inner organization in the invention of the present application, but this is nothing more than a specified minor detail for the purpose of resolving an issue, and there is no substantial difference.

- Prior Application 1 in relation to Claims 4 to 8
- Remarks

Refer to the remarks relating to Claims 1 to 3.

The control program is self evident.

#### List of Cited Literature, etc.

1. Japanese Unexamined Patent Application No. 2000-112457 (Japanese Unexamined Patent Application No. 2001-297272)

#### <Record of Prior Art Literature Research Results>

- Searched fields IPC 7<sup>th</sup> Edition G06F17/60
- Prior Art Literature  
Japanese Unexamined Patent Application Publication No. H10-49575

This record of prior art literature search results does not constitute a reason for rejection.

## ・請求項 2 に対して先願 1

## ・備考

本願の請求項 2 に係る発明と先願 1 の明細書及び図面に記載された発明とは、本願発明では「自家用車を使用しない旅行予定期間」としているのに対し、先願発明では「賃貸可能期間」としている点で一応相違するが、係る差異は課題解決のための具体化における微差にすぎず、実質的な差異ではないものと認める。

## ・請求項 3 に対して先願 1

## ・備考

本願の請求項 3 に係る発明と先願 1 の明細書及び図面に記載された発明とは、本願発明では組織内に設けられたインターネットで構成されているのに対し、先願発明ではWEBサーバーにより構成されている点で一応相違するが、係る差異は課題解決のための具体化における微差にすぎず、実質的な差異ではないものと認める。

## ・請求項 4 ~ 8 に対して先願 1

## ・備考

請求項 1 ~ 3 に対する備考を参照。

制御プログラムについては、自明と認める。

## 引用文献等一覧

1. 特願2000-112457号(特開2001-297272号)

## &lt;先行技術文献調査結果の記録&gt;

・調査した分野 IPC第7版 G06F17/60

・先行技術文献 特開平10-49575号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

## &lt;問い合わせ先&gt;

この拒絶理由通知の内容に関するお問い合わせは下記にご連絡下さい。

特許審査第四部電子商取引 審査官 山下達也 03(3581)1101 ext. 3560

**特許出願理由通知書**

特許出願の番号	特願2000-215247
起案日	平成14年 7月11日
特許庁審査官	山下 達也 9645 5L00
特許出願人代理人	西村 征生 様
適用条文	第29条の2

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

**理由**

この出願の下記の請求項に係る発明は、その出願の日前の特許出願であって、その出願後に出願公告又は出願公開がされた下記の特許出願の願書に最初に添付された明細書又は図面に記載された発明と同一であり、しかも、この出願の発明者がその出願前の特許出願に係る上記の発明をした者と同一ではなく、またこの出願の時において、その出願人が上記特許出願の出願人と同一でもないので、特許法第29条の2の規定により、特許をすることができない。

**記 (引用文献等については引用文献等一覧参照)****・請求項1に対して先願1****・備考**

先願1の明細書及び図面には、遊休資産の有効活用を図ること等を目的とした情報処理装置及びその使用方法が記載されている。

そこでは、賃貸希望者は情報処理装置のWEBサイト画面にアクセスして自己が希望する賃貸用物品、例として自動車に関する物品名、賃貸可能期間、保管場所等の情報を入力し、賃貸情報データベースに登録する。

また、賃借希望者は賃貸情報検索手段にアクセスして賃貸情報データベースから希望する賃貸用物品の検索を行う。

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本願の請求項1に係る発明と先願1の明細書及び図面に記載された発明とは、本願発明では「自家用車が使用されない不使用期間」としているのに対し、先願発明では「賃貸可能期間」としている点で一応相違するが、係る差異は課題解決のための具体化における微差にすぎず、実質的な差異ではないものと認める。